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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/730,961      | 12/09/2003  | Jodi L. Reeves       | 1014-SP162-US       | 3683             |

34456 7590 05/18/2006

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AUSTIN, TX 78746

EXAMINER

TRAN, PHUOC

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2624

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Art Unit: 2624

1. Applicants' election with traverse of Group II (claims 26-78 and 80-81) in the reply filed on 3/7/06 is acknowledged. The traversal is on the ground(s) that the examination of all claims does not create an undue burden on the USPTO and that the subject matter among the groups is not independent and distinct.

In view of applicants' argument that "the subject matter among the groups is not independent and distinct", the restriction between the inventions of Group I and Group II are withdrawn and rejoined as the elected invention. However, the restriction between rejoined Groups I, II (claims 1-82) and Group III (claims 83-87) is still deemed proper because the rejoined invention of Groups I, II (claims 1-82) and the invention of Group III are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the rejoined invention of Group I, II does not require specific claim elements of the invention of Group III. The subcombination, Group III, has separate utility such a non-transparent tape.

The examination of all claims would create an undue burden because the rejoined invention of Groups I, II (claims 1-82) and the invention of Group III have acquired a separate status in the art in view of their different classification and they require a different field of search. The search and examination of an unusual large number of claims which cover various subject matter would also create a serious burden.

The requirement is still deemed proper and is therefore made FINAL.

Art Unit: 2624

2. Claims 1-82 are allowed..

3. This application is in condition for allowance except for the presence of claims 83-87 directed to an invention non-elected with traverse in the reply filed on 3/7/06. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

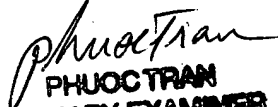
The prosecution of this case is closed except for consideration of the above matter.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc Tran whose telephone number is (571) 272-7399. The examiner can normally be reached on MON-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C. Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
PHUOCTRAN  
PRIMARY EXAMINER